

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
MARCH 19, 1996**

The one thousand seven hundred and thirty-ninth meeting of the Milwaukie City Council was called to order by Mayor Lomnicki at 7:00 p.m. In the Council chambers at Milwaukie City Hall. The following Councillors were present:

Craig Lomnicki,
Mayor
Rick Farley

Jean Schreiber
Rob Kappa
Don Trotter

Also present:

Dan Bartlett,
City Manager
Charlene Richards,
Assistant to the City Manager
Pam Beery,
City Attorney
Angus Anderson,
Finance Director

David Wheton,
Public Works Director
Maggie Collins,
Community Development Director
Greg Drechsler,
City Engineer
Linda Mullen,
Neighborhood Services Coordinator

PROCLAMATIONS, COMMENDATIONS, SPECIAL REPORTS, AND AWARDS --
None.

CONSENT AGENDA

It was moved by Councilmember Kappa and seconded by Councilmember Trotter to approve the consent agenda. The consent agenda consisted of the following items:

1. City Council Minutes of March 5, 1996
2. Liquor License: King Road Super Center Foods
4242 SE King Road., Milwaukie (change of ownership)

Motion passed unanimously.

AUDIENCE PARTICIPATION

Milt Palm voiced displeasure with a lot line adjustment that was approved by the City. This line adjustment resulted in a 12-foot sideyard setback on a flag lot. He does not feel that this amount of land can support the slope on this sideyard. The soil will only stand up to 25 degrees. A bank should not exceed 1/1 slope. His only recourse is to bring a suit against the excavator.

Mayor Lomnicki explained that these issues are dealt with by Structural Engineers at the time construction is being done on a particular piece of property. They are following uniform building codes and structural engineering codes. It is beyond the purview of the City Council to make a decision on this issue.

Mr. Palm stated that he had a letter from the State of Oregon which states that the City Council is the only hearing body that can assist him with his concerns.

Councilmember Kappa stated that he has received letters from Mr. Palm and they are in technical terms that he cannot understand. In one letter, he was asked to talk with a Dr. Scott Birms at Portland State University. In a conversation with Dr. Birms, he did not share Mr. Palm's concerns in regard to the soils. **Kappa** asked that Mr. Palm have someone who is familiar with the terms put the letter in layman terms that can be understood.

Councilmember Schreiber stated that since there will be a court case coming up between adjacent landowners, Mr. Palm may be called as a witness and will be able to express his opinions there. This issue cannot be solved by the City Council.

Councilmember Trotter asked that a copy of the letter from the State be sent to Maggie Collins so she can review the letter and determine whether it is an issue that can be addressed by City Council from an ordinance or resolution standpoint.

Mr. Palm stated that he would get a copy of the letter to Maggie Collins, Community Development Department.

PUBLIC HEARINGS -- None.

OTHER BUSINESS -- None.

INFORMATION

Drug Intervention Coalition

Councilmember Farley announced that there will be a discussion on Tobacco Use By Minors at 4:00 p.m at the St. Johns Episcopal Church.

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Crime Issues in Milwaukie

Rob Kappa asked for an update on crime issues in downtown Milwaukie and the status on the Dripline Ordinance. **Dan Bartlett** reported that the Downtown Safety Committee has been meeting. Some ordinances have been obtained from the City of Portland and the Tri-Met police. These ordinances are at the City Attorney's office for review. By the Council's second meeting in April there will be a proposal for consideration from the Downtown Safety Committee.

Bartlett explained that the first ordinance would be broader than the Dripline because the problem is that people who step outside the Dripline, Tri-Met cannot exclude them from the transit center. Very little of Milwaukie's transit center is under shelter and the transit center is under municipal parks. The Committee is evaluating exclusion ordinances that would allow police officers to apprehend people who are doing anti-social acts or vandalism and take them to one of four locations downtown; transit center, City Hall Park, Scott Park, or Dogwood Park.

There is another piece that is allowed by law, will allow an agreement between the property owner and police officer that would delegate the police officer as the property owner's agent to apprehend and exclude trespassers on private property. A crime-prevention officer is in the process of working with businesses and property owners to obtain these agreements.

The Downtown Safety Committee is scheduled for another meeting on April 22nd. This will be after City Council has had a worksession and have comments and input on the ordinance.

Mayor Lomnicki announced the City Council would have an worksession on City Council Goals updates; and, immediately after the worksession, The Council will adjourned to Executive Session to review letters received on Real Estate Transactions, pursuant to ORS 192.660.

Mayor Lomnicki adjourned the meeting at 7:30 p.m.

Shirley Richardson for
Pat DuVal, Recorder/Secretary

**CITY OF MILWAUKIE
CITY COUNCIL WORK SESSION
MARCH 19, 1996**

Mayor Lomnicki called the work session to order at 7:33 p.m. in the second floor conference room in City Hall.

Present were Councilmembers Farley, Schreiber, Kappa, and Trotter; City Manager Dan Bartlett; Assistant to the City Manager, Charlene Richards; Community Development Director Maggie Collins; Public Works Director Dave Wheaton; and City Engineer Greg Drechsler.

City Council Goals Update

Mayor Lomnicki opened discussion on the 1996-1997 City Council Goals. **Dan Bartlett** reviewed the reports from Department Heads.

Community Oriented Police Services has done well. Many of the things that are not on-going are done. There are a number of new officers and periodic foot patrol. The community-oriented policing plan has four allocations. One element is doing safe downtown, they get a fifth of the grant money; detective is 20% of grant, gang force gets about 20 %, and working with the school district will get the balance of the funds. There are two motorcycle officers impressing upon people the need to go slow and obey the traffic laws.

Citizen Involvement. Citizens are encouraged to become involved in all aspects of the City. Seven neighborhoods have been organized. There has been a neighborhood summit. City sponsored neighborhood newsletters are going out to most of the neighborhood associations. There is an interactive bulletin board. There have been 1300 contacts on that board since it has been installed. A school-trip safety packet will be coming soon from every neighborhood except Lewylln.

Land Use Training. The neighborhoods will receive land use training every two years. There will be annual updates. Training sessions will be as-needed.

Develop Expanded City Center Master Plan. The Regional Center IGA has been signed. The project steering committee has been formed. Maggie Collins has submitted a project schedule chart. More information will be coming. An agenda will be mailed for the next Riverfront Planning Committee on March 28th.

The Steering Committee would like to have more a visioning/storyboard type exercise. The first 90 minutes of the Council's worksession will be devoted to this.

Funding Strategy Options for the Transportation System Plan, Storm Drainage Master Plan, and the street maintenance improvements. A presentation was made tonight on the Storm Drainage Master Plan and street improvements. The TSP is in the process for adoption. Financial plans will be reviewed after June of 1996. Funding alternatives will be reviewed on all plans.

Regional Transportation Plan. The design-review narrowing has been completed. Issues raised on DEIS by the public are included in a memo which will be in Council's packet. Most issues have been satisfactorily address. There is a problem with at-grade crossings. Currently Harmony at Lake Road will be a five-lane profile above the SP in the 2015 Transportation Plan. Light Rail reports that this is not funded in the Regional Transportation Plan. No one has committed funds to this; therefore, the City will have to pay the cost. Milwaukie will fund what is built today as a three-lane profile. Clackamas County, Milwaukie, SP Railroad, and ODOT will need to find a way to fund the difference between a 3-lane and 5-lane profile.

Maggie Collins went to an engineering design meeting. She reports that there is a proposal to advance some of Milwaukie's sections to a higher design level. This will give a realistic look at the impacts on Milwaukie.

Funding for Transportation Priorities. Milwaukie's Plan has been submitted to the Regional Transportation Plan Update. Questions about the project can be directed to Tri-Met, Metro, Milwaukie, and other project participants for cost updates as they are developed. The next step is operation maintenance costing and operations costing.

Implementation Plan for City Service Area Expansion. The State approved in February a Grant for SB122 studies. Meetings should start soon. Steve Rhodes has been appointed County Administrator. There may be two new commissioners before the SB122 Grant is signed off on by the County. It will be signed off on by all of the jurisdictions.

Dan Bartlett reported that there is a need to for volunteers for the Clackamas Regional Center Area Plan Committees. The Action Plan would like to have a member from the Planning Commissions and Councils on these Committees.

Long-term Financial Plan. This Plan will be coming up with April 10th Budget Committee Meeting. The Capital Improvement Plan is implemented and integrated CIT package process to the budgeting cycle. There are two balanced budgets and a five year revenue and expenditure forecast.

Mayor Lomnicki adjourned the worksession at 8:10 p.m. to an Executive Session pursuant to ORS 192.660.

Pat DuVal
Shirley Richardson for
Pat DuVal, Recorder/Secretary